Hovsepian v. Apple, Inc.
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EXHIBIT C

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ACACIA MEDIA TECHNOLOGIES CORPORATION

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

SOUTHERN DIVISION

ACACIA MEDIA TECHNOLOGIES CORPORATION,

Plaintiff,

vs.

NEW DESTINY INTERNET GROUP, et. al.,

Defendants.

AND ALL RELATED CASE ACTIONS.

Case No. SACV 02-1040 JW (MLGx)

Consolidated Cases:
SA CV 02-1048-JW (MLGx)
SA CV 02-1063-JW (MLGx)
SA CV 02-1165-JW (MLGx)
SA CV 03-0217-JW (MLGx)
SA CV 03-0218-JW (MLGx)
SA CV 03-0219-JW (MLGx)
SA CV 03-0259-JW (MLGx)
SA CV 03-0271-JW (MLGx)
SA CV 03-0308-JW (MLGx)

Related Cases:
SA CV 03-1610-JW (MLGX)
SA CV 03-1800-JW (MLGX)
SA CV 03-1801-JW (MLGX)
SA CV 03-1803-JW (MLGX)
SA CV 03-1804-JW (MLGX)
SA CV 03-1805-JW (MLGX)
SA CV 03-1807-JW (MLGX)

PLAINTIFF ACACIA MEDIA TECHNOLOGIES CORPORATION'S OPPOSITION TO DEFENDANTS' CLAIM CONSTRUCTION BRIEF RE: CLAIM TERMS IN THE '702 PATENT

DATE: **May 19, 2004**
TIME: **9:00 a.m.**
CTRM: **Hon. James Ware**

does convey to one knowledgeable in the art a variety of structures known as 'detectors.'")

b) The Term "Identification Encoder" is Also Sufficient Structure

Like the word "digital" in the "digital detector" in Personalized Media, the word "identification" in "identification encoder" is an adjectival qualification placed on otherwise sufficiently definite structure. The specification describes the "identification encoder" as an encoder which "gives a unique identification code to an item." ('702 patent, 6:31-35). The identification encoder also optionally logs details about the item (program notes), assigns the item a popularity code, maps item addresses to item names, and operates a program which updates a master item database. ('702 patent, 6:34-39; 10:45-46; 10:52-58; 12:4-5). See, Personalized Media, 161 F.3d at 705-06 ("Here, the written description of the specification is sufficient to inform one skilled in the art of the meaning of the claim language 'digital detector.' It explicitly defines a 'digital detector' as a device that 'acts to detect the digital signal information' in another stream of information.")

c) The term "Sequence Encoder" is Also Sufficient Structure

Although the term "sequence encoder" is not used in the specification of the '702 patent, the specification of the '702 patent is also sufficient to inform persons of skill in the art of the meaning of the term "sequence encoder" as structure. The specification discloses a time encoder, which functions to place blocks of converted format information from converter 113 into a group or sequence of addressable data blocks by assigning relative time markers to data prior to subsequent compression. ('702 patent, 7:57-59; 8:6-9; 8:46-49; Fig. 2a). From this description in the specification, it is clear that the time encoder is a sequence encoder. Defendants